

AIRPORT SYSTEM CAUSE NO.: _____

JANICE KRAUSE	§	IN THE DISTRICT COURT
	§	
	§	
Plaintiff,	§	
	§	
v.	§	_____ JUDICIAL DISTRICT
	§	
CITY OF HOUSTON, HOUSTON	§	
AIRPORT SYSTEM	§	
	§	
Defendant.	§	HARRIS COUNTY, TEXAS

PLAINTIFF JANICE KRAUSE’S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff JANICE KRAUSE (“Plaintiff”) files this Original Petition against Defendant CITY OF HOUSTON, HOUSTON AIRPORT SYSTEM (“Defendant” or “HAS”) and alleges as follows:

I. DISCOVERY CONTROL PLAN

1. Plaintiff intends to conduct Discovery under Level Two, as described in Rule 190.3 of the Texas Rules of Civil Procedure. However, Plaintiff reserves the right to move this Court to enter a discovery control plan in accordance with Rule 190.4 of the Texas Rules of Civil Procedure.

II. PARTIES AND SERVICE

2. Plaintiff JANICE KRAUSE is a citizen of the State of Texas, and resides in Montgomery County, Texas.

3. Defendant CITY OF HOUSTON is a municipality of the State of Texas that regularly conducts business in Houston, Harris County, Texas. The HOUSTON AIRPORT SYSTEM is a department of the City of Houston. Defendant may be served with process by serving the City

Secretary at 900 Bagby, 4th Floor, Houston, Texas.

4. At all times relevant hereto, Defendant was acting through its agents, servants, and employees, who were acting within the scope of their authority, course of employment, and under the direct control of Defendant.

III. JURISDICTION AND VENUE

5. This Court has jurisdiction of this action, as this case arises under provisions within the Americans With Disabilities Act of 1990, as amended (“ADA/ADAAA”) 42 USC §§ 12102 et seq.; and the Texas Commission on Human Rights Act (“TCHRA”) Tex. Lab. Code § 21.001 et seq. Damages are within the jurisdictional requirements of this Court and will continue to increase as this case proceeds to trial. Moreover, venue is proper in Harris County, Texas, pursuant to the Texas Civil Practice and Remedies Code § 15.002, as all or a substantial part of the events or omissions giving rise to this claim occurred in this county.

IV. NATURE OF THE ACTION

6. This is an action brought pursuant to the Americans with Disabilities Act of 1990, (“ADA/ADAAA”) 42 USC §§ 12102 et seq., and the Texas Commission on Human Rights Act (“TCHRA”), as Defendant discriminated against Plaintiff and failed to accommodate her based on her disabilities.

V. FACTUAL BACKGROUND

7. Ms. Krause started working for HAS on November 1, 1994. She has worked as a Parking Cashier and then a Senior Clerk. Currently, she is a Customer Service Clerk.

8. Ms. Krause is afflicted with the following disabilities: arthritis, lupus (muscles and joints), leukemia, colon cancer, and stroke-resulting conditions.

9. Ms. Krause's employment issues began with her supervisor, Marilyn Ross, who failed to take her disability restrictions into consideration and discriminated against her based on her disabilities.

10. On or about August 24, 2016, Ms. Krause revealed her medical disabilities to Ms. Ross. Specifically, Ms. Krause explained to Ms. Ross that she physically could not do any heavy lifting, to which Ms. Ross responded, "I know that." Thus, Ms. Ross acknowledged that Ms. Krause was afflicted with the aforementioned disabilities.

11. Notwithstanding Ms. Krause's disabilities, Ms. Ross told Ms. Krause that it should be her own responsibility to be accommodated with her lifting duties. In sum, instead of accommodating Ms. Krause, Ms. Ross stated that it was Ms. Krause's own responsibility to ensure she received her accommodation by requesting help from her coworkers. Thus Ms. Krause was in effect told to accommodate herself.

12. Nevertheless, Ms. Ross forced Ms. Krause to serve as the same "required help" for other employees who needed assistance—an accommodation denied to Ms. Krause.

13. Moreover, Ms. Ross openly discussed Ms. Krause's medical disability in front of other employees.

14. On or about August 30, 2016, Ms. Ross complained to Ms. Krause that her own perception of this disability situation was "totally, totally out of this world." Moreover, Ms. Ross stated that she was refusing to accommodate Ms. Krause and forced Ms. Krause to archive or lift items. For instance, Ms. Ross made Ms. Krause the primary archiver which required her to lift boxes which weighed more than 20 lbs. This was against Ms. Krause's doctor's restriction not to lift more than 20 lbs.

15. About September 1, 2016, Ms. Ross stated to Ms. Krause, "I'm gonna get you." Ms. Krause took this interaction to be a verbal threat based on her disability and request for accommodations. Ms. Ross told Ms. Krause's co-workers, Saly Thomas and Tracey Bush, that Ms. Krause was, "using her disability as an excuse." Ms. Ross thus violated the ADA and HIPAA by disclosing Ms. Krause's disability to an employee other than her supervisors.

16. On September 8, 2016, Ms. Krause had a conversation with Assistant Director and HRBP Manager Jocelyn Labove and raised her concerns about the discriminatory behavior from Ms. Ross. Ms. Krause also submitted a complaint to the City of Houston Office of Inspector General ("the OIG") about the discrimination and hostile work environment from Ms. Ross. HAS gave Ms. Krause the option to be transferred to another department while the OIG conducted its investigation, presumably for two or three months. Ms. Krause chose the Supply Chain Management department with Devon Tiner as a temporary placement. HR never discussed with Ms. Krause, and it was never understood, that this move would be permanent.

17. On September 19, 2016, Ms. Krause was transferred to Supply Chain Management. Susan Ackerson became her Manager. On October 6, 2016, Ms. Krause filed a Charge of Discrimination with the EEOC.

18. On December 9, 2016, Ms. Krause had a meeting with Ms. Ross, Jocelyn Labove, Shanna Epps and Judy Taub. At the meeting, Ms. Krause accepted the plan for her to use a weighing scale in order to make sure she did not lift anything heavier than 20 lbs. Ms. Krause also mentioned that the special cordless mouse and keyboard that she was using had been taken away. The special mouse and keyboard were an accommodation for Ms. Krause's hand disability. The mouse and keyboard had been taken away and given to Ms. Thomas, under Ms.

Ross's instructions. Ms. Thomas does not need a special mouse and keyboard. Ms. Ross ignored Ms. Krause's complaint about the special mouse and keyboard being taken away and laughed.

19. On January 31, 2017, the OIG notified Ms. Krause that after their investigation, they found no reason to sustain Ms. Krause's complaint.

20. On March 2, 2017, the Supply Chain Management Department staff was informed that Justina Mann would become the Assistant Director. On April 5, 2017, Ms. Ackerson informed Ms. Krause that she would be sitting at the front desk all day and that other employees would have to relieve her in order for her to take her lunch and other breaks. Before this date, Ms. Krause would rotate front desk duties with other employees. Ms. Krause asked Ms. Ackerson if she could split the day with Administrative Aide Sally Yost. On April 6, 2017, Ms. Ackerson told Ms. Krause that Ms. Mann had said no to her request to rotate with Ms. Yost. At that time Ms. Krause also learned that the front desk would be her permanent area for work.

21. At this position Ms. Krause's co-workers made it very difficult for Ms. Krause to take her breaks. HAS also began to lock the handicapped bathroom, which Ms. Krause was using. Soon after, Ms. Ackerson told Ms. Krause that effective April 10, 2017, her shift would change to 7:30 a.m. until 4:30 p.m.

22. On April 7, 2017, Ms. Krause spoke with Ms. Ackerson about a meeting she had scheduled for upstairs. Ms. Krause reminded Ms. Ackerson that she could not climb stairs. This was never an issue before, as Ms. Ackerson was willing to accommodate her; however this time Ms. Ackerson asked her what her condition was and then told Ms. Krause to bring her a doctor's note. Ms. Krause sent her a doctor's note on April 10, 2017.

23. On May 3, 2017, Ms. Krause was at the front desk and had to bend over to pick up something she dropped. Ms. Mann was walking around the corner and commented, "I see your

backside.” Ms. Mann then went to her office and told Alisha Miles and they laughed loudly about this rude comment within Ms. Krause’s earshot.

24. During this time period Ms. Krause had much difficulty when she needed relief to take her breaks. This was unreasonable because Ms. Krause should not have had to keep calling to see who would relieve her for her breaks. Furthermore, Ms. Ackerson would give Ms. Krause the run around every time Ms. Krause requested vacation or time off.

25. On September 26, 2017, Ms. Mann called the front desk. Since this was an internal call, Ms. Krause answered by saying hello. Ms. Mann asked, “Is this any way to answer the phone??” Ms. Krause replied, “Yes.” Ms. Mann said, “No, it’s not.” The next day, Ms. Krause complained Chief HR Officer Harleen Hines Smith about the incident. Ms. Mann was harassing Ms. Krause and causing a hostile work environment for her.

26. On December 8, 2017, Ms. Krause requested a reasonable accommodation from HAS to be transferred from her position as Customer Service Clerk to a similar position with equal pay. The on-going stress at work was exacerbating her high blood pressure, which put her at risk of having a stroke. HAS neither responded to the request nor engaged in the interactive process required by the ADA.

27. Ms. Krause was consistently asked to do work outside of her job duties; she was not allowed to take breaks; she was transferred to a different position; her supervisors and coworkers talked derisively about and to her, her confidential medical information was exposed to other employees and she was not allowed reasonable accommodations.

28. On June 13, 2018, Ms. Krause was issued a Notice of Right to Sue by the EEOC.

VI. CAUSE OF ACTION

DISCRIMINATION, FAILURE TO ACCOMMODATE AND INTERFERENCE UNDER THE ADA AND THE TCHRA

29. The allegations contained in all paragraphs of this complaint are hereby incorporated by reference with the same force and effect as if set forth verbatim.

30. Defendant, by and through Defendant's agents, intentionally engaged in unlawful employment practices involving Plaintiff because of her disability. Accordingly, Plaintiff alleges that:

- a. Plaintiff has an actual disability (as stated in detail above)
- b. Plaintiff was qualified for her position,
- c. Defendant treated Plaintiff differently than others similarly situated because of Plaintiff's Disability in violation of the ADA and the TCHRA.

31. Plaintiff, a qualified individual with a disability, also alleges that Defendant was aware of her disability and its consequential limitations and failed to make reasonable accommodations for such known limitations in violation of the ADA and TCHRA. Plaintiff notified Defendant of her disability personally, which means Defendant had knowledge of Plaintiff's disability.

32. Defendant additionally did not engage in the interactive process with Plaintiff and failed to reasonably accommodate her.

VII. DAMAGES

33. As a result of Defendant's actions and or omissions described above, Plaintiff sustained the following damages:

- a. Actual damages, including (but not limited to) economic damages (such as past pecuniary losses and future pecuniary losses) and mental anguish damages (pursuant to Texas Labor Code § 451.002(a));
- b. Exemplary damages (pursuant to Texas Labor Code § 451.002(a));
- c. Reinstatement to Plaintiff's former employment position with Defendant (pursuant to Texas Labor Code § 451.002(b));

- d. Injunctive relief to restrain violations of the Texas Labor Code § 451.001 (pursuant to Texas Labor Code § 451.003);
- e. Attorneys' fees;
- f. Costs incurred as a result of this lawsuit;
- g. Pre-judgment interest;
- h. Post-judgment interest; and
- i. All other relief to which Plaintiff is entitled.

34. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Plaintiff hereby seeks monetary relief over \$200,000.00, but not more than \$1,000,000.00, as well as non-monetary relief. Among the relief Plaintiff is seeking includes (but is not limited to) attorneys' fees, costs, pre-judgment interest, and post-judgment. Plaintiff also seeks a demand for judgment for all the other relief to which Plaintiff deems herself entitled. The damages being sought by Plaintiff are within the jurisdictional limits of the court. Plaintiff further requests that the non-expedited rules apply in this case.

VIII. JURY DEMAND

35. Plaintiff demands a jury trial and tenders the appropriate fee with this petition.

IX. REQUEST FOR DISCLOSURE

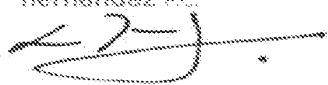
36. Under Rule 194 of the Texas Rule of Civil Procedure, Plaintiff requests that Defendant disclose within fifty (50) days of the service of this request, the information or material described in Texas Rule of Civil Procedure 194.2.

X. PRAYER

WHEREFORE, PREMISES CONSIDERED, For the reasons set forth above, Plaintiff respectfully prays that Defendant be cited to appear and answer herein, and that upon a

final hearing of the cause, judgment be entered for Plaintiff against Defendant for all damages in an amount within the jurisdictional limits of the Court, together with interest as allowed by law, attorneys' fees, court costs, and such other and further relief to which Plaintiff may be justly entitled at law or in equity.

Respectfully Submitted,

◆◆◆ kennard
◆◆◆ miller
◆◆◆ hernandez pc.


Alfonso Kennard, Jr.
Texas Bar No.: 24036888
Southern District No: 713316
2603 Augusta Drive, Suite 1450
Houston, TX 77057
Telephone No.: (713) 742-0900
Facsimile No.: (713) 742-0951
Alfonso.Kennard@kennardlaw.com

ATTORNEY-IN-CHARGE FOR PLAINTIFF



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this October 22, 2018

Certified Document Number: 81657068 Total Pages: 9

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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Exhibit D

CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): _____ COURT (FOR CLERK USE ONLY): _____

STYLED Janice Krause vs. City of Houston, Houston Airport System

(e.g., John Smith v. All American Insurance Co., In re Mary Ann Jones, In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:		Names of parties in case:	Person or entity completing sheet is:
Name: Alfonso Kennard, Jr.	Email: filings.kennard@kennardlaw.com	Plaintiff(s)/Petitioner(s): JANICE KRAUSE	<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____
Address: 2603 Augusta Dr., Ste. 1450	Telephone: (713) 742-0900	Defendant(s)/Respondent(s): CITY OF HOUSTON, HOUSTON AIRPORT SYSTEM	Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____
City/State/Zip: Houston, Texas 77057	Fax: (713) 742-0951		
Signature: /s/Alfonso Kennard, Jr.	State Bar No: 24036888		
[Attach additional page as necessary to list all parties]			
2. Indicate case type, or identify the most important issue in the case (select only 1):			
Civil		Family Law	
Contract	Injury or Damage	Real Property	Marriage Relationship
<input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____
Employment	Other Civil		Post-judgment Actions (non-Title IV-D)
<input checked="" type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____	<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____		<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Paternity/Parentage <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____
Tax	Probate & Mental Health		
<input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____		
3. Indicate procedure or remedy, if applicable (may select more than 1):			
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
4. Indicate damages sought (do not select if it is a family law case):			

- ☐ Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees
- ☐ Less than \$100,000 and non-monetary relief
- ☐ Over \$100,000 but not more than \$200,000
- ☒ Over \$200,000 but not more than \$1,000,000
- ☐ Over \$1,000,000

Rev 2/13



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this October 22, 2018

Certified Document Number: 81657069 Total Pages: 2

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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Exhibit D

CIVIL PROCESS REQUEST

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: _____ CURRENT COURT: _____

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): Original Petition

FILE DATE OF MOTION: September 11, 2018
Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: CITY OF HOUSTON, HOUSTON AIRPORT SYSTEM

ADDRESS: _____

AGENT, (if applicable): City Secretary at 900 Bagby, 4th Floor, Houston, Texas.

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): Citation

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE
☒ CIVIL PROCESS SERVER - Authorized Person to Pick-up: Kim Tindall & Associates Phone: 210-641-3163
☐ MAIL ☐ CERTIFIED MAIL

☐ PUBLICATION:
Type of Publication: ☐ COURTHOUSE DOOR, or
☐ NEWSPAPER OF YOUR CHOICE: _____

☐ OTHER, explain _____

2. NAME: _____

ADDRESS: _____

AGENT, (if applicable): _____

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): _____

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____

☐ MAIL ☐ CERTIFIED MAIL

☐ PUBLICATION:
Type of Publication: ☐ COURTHOUSE DOOR, or
☐ NEWSPAPER OF YOUR CHOICE: _____

☐ OTHER, explain _____

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: Alfonso Kennard, Jr. TEXAS BAR NO./ID NO. 24036868

MAILING ADDRESS: 2603 Augusta Drive, Suite 1450 Houston, Texas 77057

PHONE NUMBER: 713 742-0900 FAX NUMBER: 713 742-0951
area code phone number area code fax number

EMAIL ADDRESS: filings@kennardlaw.com



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this October 22, 2018

Certified Document Number: 81657070 Total Pages: 1

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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Exhibit D



CHRIS DANIEL
HARRIS COUNTY DISTRICT CLERK

Civil Process Pick-Up Form

CAUSE NUMBER: 2018-62173

ATY _____

CIV X

COURT 209th

REQUESTING ATTORNEY/FIRM NOTIFICATION

*ATTORNEY: Kennard, Alfonso PH: (713)-742-0900

*CIVIL PROCESS SERVER: Kim Timdall & Associates

*PH: 210-641-3163

*PERSON NOTIFIED SVC READY: KAREN

*NOTIFIED BY: Shirley Bates

DATE: 9-24-2018

Type of Service Document: CIT
Type of Service Document: _____
Type of Service Document: _____
Type of Service Document: _____
Type of Service Document: _____
Type of Service Document: _____
Type of Service Document: _____

Tracking Number 13538954
Tracking Number _____
Tracking Number _____
Tracking Number _____
Tracking Number _____
Tracking Number _____
Tracking Number _____

Process papers prepared by: **Rhonda Momon**

Date: Sept. 21, 2018 30 days waiting 10 - 21 -2018

*Process papers released to: Gary Kelly S
(PRINT NAME)

281 216 4734
*(CONTACT NUMBER) (SIGNATURE)

*Process papers released by: AS
(PRINT NAME)

AS
(SIGNATURE)

* Date: 9/27, 2018 Time: 2:28 AM / PM

Revised 12-15-2014



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this October 22, 2018

Certified Document Number: 81940383 Total Pages: 1

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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Exhibit D

10/15/2018 10:42 AM
Chris Daniel - District Clerk Harris County
Envelope No. 28273291
By: Justina Lemori
Filed: 10/15/2018 10:42 AM

CAUSE NO. 201862173

RECEIPT NO.

0.00

CIV

TR # 73538954

PLAINTIFF: KRAUSE, JANICE
vs.
DEFENDANT: CITY OF HOUSTON HOUSTON AIRPORT SYSTEM

In The 269th
Judicial District Court
of Harris County, Texas
269TH DISTRICT COURT
Houston, TX

CITATION

THE STATE OF TEXAS
County of Harris

**AFFIDAVIT
ATTACHED**

TO: CITY OF HOUSTON HOUSTON AIRPORT SYSTEM
MAY BE SERVED BY SERVING THE CITY SECRETARY
900 BAGBY 4TH FLOOR HOUSTON TX
Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

This instrument was filed on the 11th day of September, 2018, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 21st day of September, 2018, under my hand and seal of said Court,

Issued at request of:
KENNARD, ALFONSO JR.
2603 AUGUSTA DRIVE SUITE 1450
HOUSTON, TX 77057
Tel: (713) 742-0900
Bar No.: 24036888



Chris Daniel

CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)

Generated By: MOMON, RHONDA HWP//11042927

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock ____ M., on the ____ day of _____,

Executed at (address) _____ in

_____ County at _____ o'clock ____ M., on the ____ day of _____,

_____, by delivering to _____ defendant, in person, a

true copy of this Citation together with the accompanying _____ copy(ies) of the Petition

attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____,

FEE: \$ 136

_____ of _____ County, Texas

By _____ Deputy

Affiant

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____,

Notary Public

AFFIDAVIT OF SERVICE

State of Texas

County of Harris

269th Judicial District Court

Case Number: 2018-62173

Plaintiff:

Janice Krause

vs.

Defendant:

City of Houston, Houston Airport System



KTA2018001858

For:

Alfonso Kennard, Jr. - NEW
Kennard Miller Hernandez, P.C.
2603 Augusta Drive
14th Floor
Houston, TX 77057

Received by Kim Tindall & Associates Inc. to be served on Houston Airport System by serving the City Secretary, 900 Bagby, 4th Floor, Houston, Harris County, TX 77002.

I, Gary Hodges, being duly sworn, depose and say that on the 27th day of September, 2018 at 4:18 pm, I:

EXECUTED by delivering to, Houston Airport System, a true copy of the Citation and Plaintiff's Original Petition with the date of service endorsed thereon by me, to: Carrie Roberts, Admin Assistant at the address of: 900 Bagby, 4th Floor, Houston, Harris County, TX 77002, who is authorized to accept service for Houston Airport System.

Description of Person Served: Age: 50s, Sex: F, Race/Skin Color: Black, Height: 5'4", Weight: 160, Hair: Black, Glasses: Y

I am over eighteen, not a party to nor interested in the outcome of the above numbered suit and that I am certified to serve civil process. I have personal knowledge of the facts set forth in the foregoing affidavit and declare that the statements therein contained are true and correct. I am familiar with the Rules of Civil Procedure. I have never been convicted of a Felony or Misdemeanor involving Moral Turpitude.

NOTARY PUBLIC IN AND FOR
THE STATE OF Texas

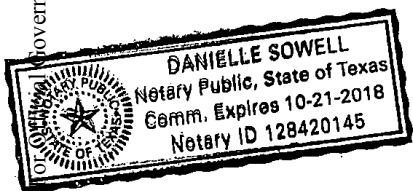
Subscribed and Sworn to before me on
the 14 day of October, 2018
by the affiant who is personally known to me.

[Signature]
NOTARY PUBLIC

[Signature]
Gary Hodges
PSC-10081 Exp: 12/31/2018

Kim Tindall & Associates Inc.
16414 San Pedro Suite 900
San Antonio, TX 78232
(210) 697-3400

Our Job Serial Number: KTA-2018001858



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I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this October 22, 2018

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Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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Exhibit D